

In The United States District Court
For the District of South Carolina
CHARLESTON DIVISION

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MAY 11 2005

**LARRY W. PROPES, CLERK
CHARLESTON, SC**

ORDER

Henry Dargan McMaster, Attorney
General for South Carolina,
Respondent.

This matter comes before the Court upon the written request, filed in the Clerk's Office on May 9, 2005 [6-1] by the *pro se* Petitioner, Sammie Stroman, who is incarcerated within the South Carolina Department (“SCDC”) at the Tyger River Correctional Facility.

Petitioner has requested that this Court order the SCDC to permit the Petitioner adequate access to the prison law library at least twice a week for a one hour stay. In support of this request, Plaintiff contends:

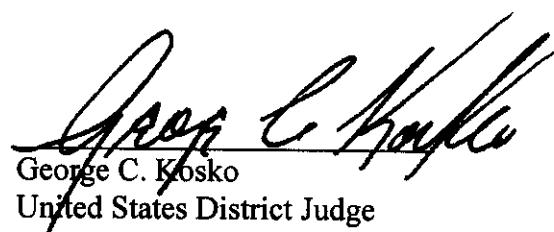
1. Petitioner is currently being housed in a Special Management Unit;
2. Petitioner needs adequate access to the law library to assist him in this case;
3. Petitioner submits that due to his present living status, the only access that he has to the law library is to submit an SCDC Form 19-11, which SCDC has (30) days to respond to, requesting specific law material; and
4. Petitioner submits that the above issue could hinder him from meeting court deadlines in this case.

It is well-settled that inmates have the right of access to a law library or the right to access

legal materials. See, e.g. Bounds v. Smith, 430 U.S. 817 (1977). Petitioner admits he has the ability to access legal materials through making his requests to the SCDC . Therefore, Petitioner actually is complaining that SCDC has not acted with the degree of promptness expected by the Plaintiff. This inconvenience simply does not rise to the level of a constitutional deprivation.

The Plaintiff's motion for a court order authorizing use of the law library is denied without prejudice.

IT IS SO ORDERED.



George C. Kosko
United States District Judge

May 11, 2005

Charleston, South Carolina